

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

TQ Delta, LLC,
Plaintiff,

v.

CommScope Holding Company, Inc., *et al.*,
Defendants.

Civil Action No.: 2:21-CV-00310-JRG
(Lead Case)

TQ Delta, LLC,
Plaintiff,

v.

Nokia Corp., *et al.*,
Defendants.

Civil Action No.: 2:21-CV-00309-JRG
(Member Case)

JOINT MOTION TO AMEND SECOND AMENDED DOCKET CONTROL ORDER

Plaintiff TQ Delta, LLC and Defendants CommScope Holding Company, Inc., *et al.* and Nokia Corp., *et al.* (collectively “the Parties”) hereby file this Joint Motion to Amend the Second Amended Docket Control Order. Dkt. No. 270. A proposed Third Amended Docket Control Order is submitted with this Motion.

On September 1, 2022, the Court held a hearing on various discovery related motions. The Parties reached multiple agreements regarding, *inter alia*, the completion of outstanding discovery including the production of documents, the completion of depositions, and the completion of product testing. Dkt. No. 283.¹

¹ To be clear, with respect to CommScope, the parties did not reach any agreements relating to depositions or product testing.

The Parties submit that good cause exists for the proposed extension to allow additional time to complete this discovery and comply with the remaining case deadlines. Further, good cause exists for the proposed extension due to key members of TQ Delta's litigation team being on leave for the early birth of children, travel abroad for the funerals of family members, and several intervening trials, including trials in Delaware before Judge Andrews between Plaintiff TQ Delta and Defendant CommScope in November and February. To the extent the Court requires additional detail related to these matters, the Parties will provide it.

To account for the foregoing scheduling conflicts and issues following the Court's last hearing, the Parties believe the requested extension is necessary and appropriate. The Parties understand the Court's practice of maintaining trial dates, and do not offer this proposed schedule lightly or without significant consideration and discussion. The Parties do not believe that the current trial date can be maintained without significant prejudice due to the issues described above. Thus, the Parties jointly request that the Court enter the attached proposed Third Amended Docket Control Order.

Dated: September 14, 2022

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document and all attachments thereto are being filed electronically in compliance with Local Rule CV-5(a). As such, this document is being served this September 14, 2022, on all counsel of record, each of whom is deemed to have consented to electronic service. L.R. CV-5(a)(3)(A).

/s/ William E. Davis, III
William E. Davis, III

CERTIFICATE OF CONFERENCE

The undersigned certifies that counsel have complied with the meet-and-confer requirements of Local Rule CV-7(h) and (i) and that the foregoing motion is joined in its entirety by Plaintiff TQ Delta, LLC, the Nokia Defendants and the CommScope Defendants.

/s/ William E. Davis, III
William E. Davis, III